

IN THE CLAIMS:

Please **CANCEL** claims 36-44, 52, 53, 55-63 without prejudice or disclaimer, **AMEND** claims 1, 54, and 64, and **ADD** new claims 79-81, in accordance with the following:

1. **(CURRENTLY AMENDED)** A disc for use with a recording and/or reproducing apparatus, the disc comprising:
 - a user data area in which user data is recorded;
 - a spare area other than the user data area and which comprises a substitute area for a defective area existing in the user data area; and
 - a temporary defect management area which comprises temporary defect information and temporary defect management information recorded for a recording operation for use by the recording and/or reproducing apparatus to perform disc defect management,
wherein the temporary defect management information is used by the recording and/or reproducing apparatus to manage the temporary defect information and area includes an address area which comprises an address of last data that is last recorded in the user data area and which is accessed by the recording and/or reproducing apparatus.
2. **(PREVIOUSLY PRESENTED)** The disc of claim 1, wherein the temporary defect management area comprises temporary defect information and temporary defect management information recorded for each of a plurality of recording operations for use by the recording and/or reproducing apparatus to perform disc defect management.
3. **(CANCELED)**
4. **(ORIGINAL)** The disc of claim 2, wherein at least one of the temporary defect information and the temporary defect management information is repeatedly recorded on the disc.
5. **(PREVIOUSLY PRESENTED)** The disc of claim 2, further comprising a lead-in and/or a lead-out area other than the user data area and the spare area, wherein the temporary defect management area is formed in the lead-in area and/or the lead-out area other than the user data area and the spare area.

6. **(ORIGINAL)** The disc of claim 2, wherein the temporary defect management area further comprises a pointer to a recording position of the temporary defect information.

7. **(ORIGINAL)** The disc of claim 2, wherein the temporary defect management information is recorded to correspond to the temporary defect information in the temporary defect management area, the temporary defect information being recorded for each of a plurality of recording operations in which the user data is recorded in the user data area.

8-12. **(CANCELED)**

13. **(PREVIOUSLY PRESENTED)** The disc of claim 1, further comprising a defect management area in a lead-in area and/or a lead-out area of the disc,
wherein the defect management area further comprises a last recorded temporary defect information and a last recorded temporary defect management information recorded as defect information and defect management information, respectively, during finalization of the disc, and
the last recorded temporary defect information and the last recorded temporary defect management information comprise the temporary defect information and the temporary defect management information last recorded in the temporary defect management area.

14. **(ORIGINAL)** The disc of claim 13, further comprising a plurality of the defect management areas.

15-32 **(CANCELED)**

33. **(ORIGINAL)** The disc of claim 1, wherein the disc is a write-once storage medium having a property which prevents, after the data is recorded on an area of the disc, new data from being written to the area of the disc.

34-35 **(CANCELED)**

36-44. **(CANCELED)**

45-51. **(CANCELED)**

52-53. (CANCELED)

54. (CURRENTLY AMENDED) ~~The computer readable medium of claim 52A~~ computer readable medium encoded with processing instructions for implementing a method of managing a defect in a storage medium performed by a computer, the method comprising:

transferring user data with respect to a user data area of the storage medium, the user data area comprising a first defective area with respect to which a first portion of the user data is transferred;

transferring first replacement data comprising the first portion of the user data with respect to a spare area of the storage medium other than the user data area;

wherein: if the storage medium is not to be finalized, transferring first management information with respect to a temporary defect management area of the storage medium so as to manage the user data and the first replacement data, the first management information comprising an address of a last portion of the user data to be recorded on the storage medium prior to creation of the first management information ~~the transferring the first management information comprises transferring the first management information with respect to the temporary defect management area;~~ and

if the storage medium is to be finalized, the transferring copying the first management information comprises transferring the first management information with respect to a defect management area, and

wherein the defect management area is other than the temporary defect management area and is reserved and empty prior to and to when the storage medium is to be finalized.

55-63. (CANCELED)

64. (CURRENTLY AMENDED) The disc of claim 1, wherein the address area further comprises an address indicating a next address of the spare area to be used for next defective area replacement to be performed.

65. (PREVIOUSLY PRESENTED) The disc of claim 1, wherein the address area further comprises an address of a replacement data recorded in the spare area.

66-73. (CANCELED)

74. **(PREVIOUSLY PRESENTED)** An apparatus for use with a disc having a user data area, a temporary defect management area, and a spare area other than the user data area, the apparatus comprising:

a reading unit that reads data from the disc; and

a controller that controls the reading unit to read temporary defect information and temporary defect management information to manage the temporary defect information in the temporary defect management area of the disc, wherein the temporary defect management information comprises an address of last user data that is last recorded in the user data area, and the controller accesses recorded user data based on the temporary defect information and the temporary defect management information.

75. **(PREVIOUSLY PRESENTED)** The apparatus of claim 74, wherein the temporary defect information comprises defect position information.

76. **(PREVIOUSLY PRESENTED)** The apparatus of claim 74, wherein the disc is a write-once storage medium having a property which prevents, after the data is recorded on an area of the disc, new data from being written to the area of the disc.

77. **(PREVIOUSLY PRESENTED)** The reproducing apparatus of claim 74, wherein:
the disc further comprises a defect management area;
the reading unit reads the data by reading the temporary defect information and the temporary defect management information in the defect management area and/or the temporary defect management area; and

the controller accesses the recorded user data by accessing the recorded user data based on the read temporary defect information and the temporary defect management information.

78. **(PREVIOUSLY PRESENTED)** The disc of claim 65, further comprising a record layer, wherein the address of the last data and the address of the replacement data are recorded to correspond to each other on the record layer.

79. **(NEW)** The disc of claim 1, wherein the temporary defect information comprises information on a position of the defective area and information on a position of the substitute area which replaces the defective area.

80. **(NEW)** The computer readable medium of claim 54, wherein the first management information comprises information on a position of the first defective area and information on a position of the spare area which replaces the first defective area.

81. **(NEW)** The apparatus of claim 74, wherein the temporary defect information comprises information on a position of a defective area and information on a position of a substitute area which replaces the defective area.